

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 10, 2022

Lyle W. Cayce
Clerk

No. 21-10264
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

JOEY KEMP,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:21-CV-390

Before KING, COSTA, and HO, *Circuit Judges.*

PER CURIAM:*

Joey Kemp, federal prisoner # 34592-077, appeals the denial of his pro se motion for compassionate release under the First Step Act. *See* 18 U.S.C. § 3582(c)(1)(A). The district court denied Kemp's motion without the benefit of intervening Fifth Circuit authority. Therefore, we VACATE the

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-10264

district court's order and REMAND for further consideration in light of *United States v. Shkambi*, 993 F.3d 388 (5th Cir. 2021).